

Oct 28, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHELLEY H.¹

Plaintiff,

v.

ANDREW SAUL, Commissioner of the
Social Security Administration,

Defendant.

No. 4:19-CV-5018-EFS

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Before the Court, without oral argument, is the parties' Stipulated Motion for Remand. ECF No. 11. The parties ask the Court to remand this case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).² Additionally, the parties expressly agree that the Administrative Judge shall:

¹ To protect the privacy of the social-security Plaintiff, the Court refers to her by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

² See 42 U.S.C. § 405(g) ("The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.").

- Reevaluate the severity and limitations associated with Plaintiff's mental impairments, in light of the reevaluation of the opinions by consultative examiners Robin Potter, Psy.D., and Brent B. Geary, Ph.D.;
- Reevaluate Plaintiff's subjective complaints;
- Reassess the residual functional capacity;
- Reevaluate whether Plaintiff could perform past relevant work or any other work in the national economy;
- Offer Plaintiff the opportunity for a new hearing; and
- Issue a new decision.

Having considered the parties' request and the record as a whole, the Court grants the motion and remands this case for further administrative proceedings. Upon proper presentation, the Court will consider a motion by Plaintiff for attorney fees under the Equal Access to Justice Act.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 11**, is **GRANTED**.
2. Pursuant to 42 U.S.C. § 405(g), this case is **REVERSED** and **REMANDED** to the Social Security Administration for further proceedings consistent with this Order and the parties' stipulation.
3. All pending motions are **DENIED AS MOOT**.
4. All hearings and other deadlines are **STRICKEN**.

1 5. **JUDGMENT** is to be entered in Plaintiff's favor.

2 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
3 provide copies to all counsel.

4 **DATED** this 28th day of October 2019.

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6 s/Edward F. Shea
7 EDWARD F. SHEA
8 Senior United States District Judge
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